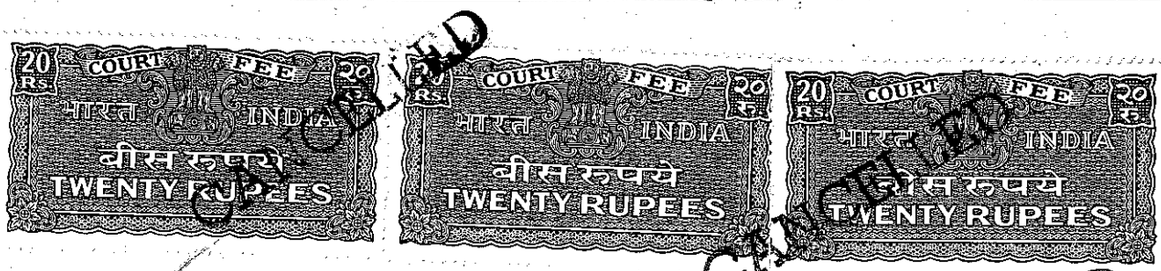


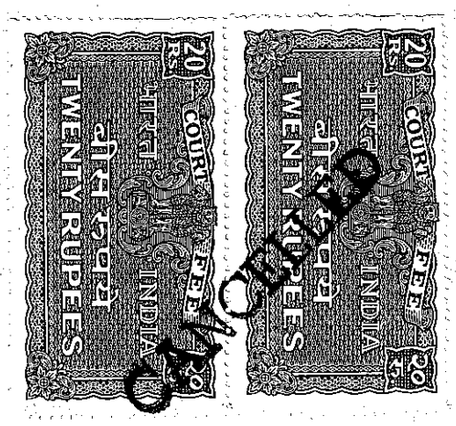
(3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR .

WRIT PETITION NO. 1686 OF 2001.

C-F/100-

PETITIONER : R.P. Sharma, Son of Late Shri Shambhulal Sharma, aged about 60 years, Opposite Ajad Chowk Police Station, at the residence of Bandi Chandrakar, Ambe Rui Bhandar Gali, Amapara, RAIPUR.



V E R S U S

RESPONDENTS : 1. Managing Director, Madhya Pradesh State Road Transport Corporation, Habibganj, BHOPAL.

2. Divisional Manager, Madhya Pradesh State Road Transport Corporation, RAIPUR.

3. Depot Manager, Madhya Pradesh State Road Transport Corporation, Rajnandgaon Depot, RAJNANDGAON.

P.R. No. 14/12/01
Presented by Shri Vishnu Deshmukh
dated 26

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 1686/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	19/4/2002 Shri Vinod Deshmukh for the petitioner. Shri Vimlesh Bajpai for the respondents. With the consent of the parties, matter is heard finally. The petitioner in this petition has retired from service. He is yet to receive his retiral benefits. Due to non receipt of retiral benefits, the petitioner and his dependents are facing great financial hardship. A prayer has been made that payment of retiral benefits cannot be delayed inasmuch as it is the right of the petitioner to receive such benefits. It has been stated at the Bar time and again that it is no bounty and it is the duty of the competent authority to pay retiral benefits. One and the only reason every time that is placed before this Court is that the department is facing financial crunch. Learned counsel for the petitioner has filed a copy of the order dated 10/12/2001 passed by this Court in W.P.	

[पीछे देखिये

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 1686/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No.1699/2001 and prayed that the similar order may be passed. The Respondent's Counsel admit Similarity of Case.

In the aforesaid order, reference of document dated 29/8/2001, which is said to be a scheme, which has been evolved by the department for the purpose of payment of retiral benefits to the employees who have since retired, is mentioned. The scheme proposes to make payment of Rs.5000/- to the employees of Grade-I and II and Rs.3000/- to the employees of Grade-III and IV per month.

It has been contended by the counsel representing the petitioner that the petitioner should be paid at least to begin with a reasonable lump sum.

After giving my anxious consideration to the various submissions made on behalf of the parties, I am of the opinion that since sooner or later the respondents must pay whatever is due to the retired employee and also taking into consideration the hardships caused to the employee in the absence of payment of any retiral benefits to him after he has

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 1686/2011

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

retired from service, it will be just, fair and reasonable to direct the respondents to pay the petitioner a sum of Rs.25,000/- within two months from the date of receipt of this order. Thereafter, I direct that the respondents shall make payment strictly in accordance with the scheme that has been placed before this Court until the last paisa is paid.

With the above directions and observations, this petition is disposed of. On failure to pay the money as directed above within the stipulated time, the petitioner shall stand entitled to the payment of interest at the rate of 18% per annum.

Let the compliance report be submitted before this Registry.

Certified photo copy as per rules.

Sd/-
Fakhruddin
Judge

[पीछे देखिये